

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THE TEN EYCK MINERAL TRUST,
BY C. ANDREW TEN EYCK, TRUSTEE

Plaintiff,

v.

Case No. 1:14-CV-201

CHESAPEAKE ENERGY CORPORATION,
SILVER LAKE ENERGY, LLC, ENCANA
CORPORATION and ENCANA OIL &
GAS (USA) INC.,

HON. GORDON J. QUIST

Defendants.

ORDER GRANTING MOTIONS FOR LEAVE TO FILE AND TO CLARIFY

On November 4, 2014, the Court granted in part and denied in part Defendants' motions to dismiss Plaintiff's complaint in the instant action. (Dkt. #33.) The Court deferred ruling on Plaintiff's fraud claim to allow Plaintiff to respond to arguments raised at oral argument regarding that claim. (*Id.*) On November 18, 2014, Plaintiff filed a motion for reconsideration or, in the alternative for leave to amend its complaint. (Dkt. #37.) Thereafter, Defendants Chesapeake Energy Corporation (Chesapeake) and Silver Lake, LLC (Silver Lake) filed a motion for leave to file a reply to Plaintiff's response regarding the fraud claim, and a motion requesting that the Court clarify the schedule for further proceedings in light of Plaintiff's filing. The Court will grant Defendants' motions.

Therefore,

IT IS HEREBY ORDERED that Defendants' Motion for Leave to File (dkt. #36) is **GRANTED**.

IT IS FURTHER ORDERED that Defendants' Motion to Clarify (dkt. #40) is **GRANTED**.

IT IS FURTHER ORDERED that within **thirty (30) days** of the entry of this Order, Defendants Chesapeake and Silver Lake shall file a response to Plaintiff's motion for reconsideration or in the alternative, for leave to amend complaint. The response may address all the issues raised in Plaintiff's motion and accompanying brief, including the request that the Court reconsider its prior order, the request for leave to amend, if such amendment would be futile, and the arguments regarding Plaintiff's fraud claim.

Dated: December 4, 2014

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE